

Orange County District Attorney Tony Rackauckas**January 16, 2002**

Thank you so much Judge Carter for doing the honors and for honoring us with your presence. I had the pleasure of growing up in our office with Judge Carter as trial attorneys, and later serving together as colleagues on the bench. I have always admired his courage, his intelligence and his ability to always do the right thing.

Thank you Assistant Sheriff George Jaramillo and the Orange County Sheriff's Department Color Guard for representing our good friend -- Sheriff Mike Carona and the best Sheriff's department in the country.

Thank you Chuck and all of my assistants -- I truly believe that they are the best management staff in the history of this office.

Thank you Jim for reciting our Mission. I know Jamie Coulter has been lobbying me for the last couple of years to shorten it to simply -- "Doing justice for the People." And I will seriously consider that, Jamie.

Most of all, thank all of you for allowing me an opportunity to recognize the hard work and successes of the last four years and to forge new goals for the next four.

Judge Carter, my deputies, investigators, support staff, and friends, I stand before you today with a proud heart, as the head of the greatest organization in the County of Orange – made up of a body of the most diligent, professional and dedicated men and women. For the last four years, we have worked together to make Orange County a better and safer place. To get where we are today, I know many of you sacrificed your children's soccer games and Saturdays with your spouse. I know I have made the same sacrifices with my family. On behalf of the People of Orange County, I applaud your achievements and thank you for your hard work.

Before we forge our course for the next term, we need to reflect upon where we began our journey just four short years ago. In order to do that, I would like to give you a bit of a historical context. The last time an Orange County District Attorney from outside the office was elected was over 40 years ago. For decades, the outgoing district attorney handpicked his successor from within the office. My election in 1998 was the first time in more than 40 years that the People picked the new District Attorney.

In 1998, by nearly a two to one margin, the People rejected the status quo and voted for change. Luckily for me, most of you willingly accepted the People's vote and have worked with me for change and progress.

I ran for the Office of District Attorney in 1998 on a platform of change. I proposed, and promised to implement, new policies that substantially differed from my predecessors. These areas included re-emphasizing the vigorous prosecution of violent criminals and suppressing gangs, enhancing enforcement of environmental laws and increasing the performance of the Family Support Division. As a judge, I witnessed first-hand the destructive effects and often unjust results of inflexible policies and bureaucratic inertia. I vowed to change those policies and allow prosecutors to exercise professional discretion in handling their cases.

I believed, and I continue to believe, in the judgment of each of my deputies and in his and her professional discretion to administer justice for the People of Orange County.

By the way, a few weeks ago, you might have read a story printed in the Los Angeles Times that there has been a policy change in this regard and that I took away your discretion to administer justice. Let me reassure you, the discretion policy has not changed. That story was just wrong.

In order to accomplish our goals, we simply had to improve the infrastructure of this office. In order to increase our productivity to carry out the mission mandated by the People, our office needed to leap forward into the twenty-first Century. Orange County is the sixth largest county in the United States. We

have close to 3 million people living in this county. That is more than 19 other states. Our economy is greater than most countries around the world. There was simply no excuse to have the dilapidated, outdated working conditions we used to face every day.

By setting new priorities and re-directing our resources, we have accomplished many of the goals we set in 1998. First, as a result of our continued, tough stance on gang prosecution and working hand in hand with local police and the Sheriff's department, gang violence has dramatically dropped. We created two new "target" teams. We created and received funding for the Regional Gang Enforcement Team (RGET) to deal with the multi-jurisdictional problem of roving gangs. As a result, there are more than 2,000 fewer gang members today in Orange County. Gang homicides were dramatically decreased. I am proud that we have taken away over one million dollars from the coffers of gang members.

Second, we saw the importance of protecting our County's precious land, air and water. We increased the environmental protection budget by 360 percent and it has paid exponential dividends. We successfully prosecuted the giant corporation ARCO. By doing so, we set the standard and model for the rest of the country in prosecuting environmental cases. This unprecedented prosecution, conducted by a team of prosecutors in partnership with two private law firms, and negotiated by Bill Feccia, Joe D' Agostino and myself, was the largest civil litigation of its kind, ever prosecuted in the United States by a district

attorney. With this settlement, we were able to recover for the taxpayers all of our litigation costs, crucial in these times of severe budget crunch. We made ARCO pay for an independent hydro-geologist whose only job is to look for any new potential pollutants. Most importantly, our prosecution required ARCO to write a "blank check" to clean up the dangerous pollutants. To put this into context of what this means for Orange County residents, our deep water aquifer, which represents one-half of all the water that we use and drink, is being protected by the efforts of this office. From the start, our only goal was to preserve clean drinking water for the People of Orange County and we have done just that. You cannot put a price on the value of having fresh drinking water. Thanks to your efforts, an Orange County mother can safely give tap water to her baby.

Third, we have collected 60 percent more child support in the last four years than previously. Embarrassingly, Orange County's performance was one of the poorest and among the last in the state before 1999.

Under your chairs, I have placed a hand-out which highlights a few important cases out of over 200,000 misdemeanors and 50,000 felony cases that we handled during the last four years. Please review the list at your leisure.

Of course, we could not have accomplished all that we have without substantially updating our infrastructure. First, we have unprecedented lines of

communications through all levels of the office through newly automated telephone, intranet and e-mail systems; computers for every attorney and investigator; and the new "open door" policy. Many employees have taken advantage of the open door policy to the executive management team and many of your suggestions have been heeded. Finally, we consolidated buildings and provided adequate office space and parking. Gone are the days when attorneys and investigators were regularly double and triple stacked while trying to interview witnesses and prepare for trials. Gone are the days when we had to park past the Santa Ana Stadium bleachers and had to haul our brief cases and exhibits long distances in bad weather. This very building that we are in now -- consolidated our operations at a great savings to the Orange County taxpayers.

Our accomplishments did not go unnoticed. I am grateful to the People of Orange County for recognizing the great work we have all achieved during the last four years. In March, the People of Orange County overwhelmingly mandated again that we continue with our mission to fight crime and administer justice. I told the People of Orange County that if I were re-elected, we would work to vigorously prosecute violent sexual predators; continue curbing gang crimes; and continue protecting our precious natural resources. I know some of you did not support my 1998 and 2002 elections. These are goals that I know that you can support so I ask you to join me so we can work as a team, all pulling in the same direction and carrying out the will of the People and administering justice.

It is no secret that all governmental entities are affected by the downturn in the economy and the shifting of resources since 9-11 to national security. In fact, California has been hit extremely hard with our state facing a multi-billion dollar deficit. With challenging times ahead, teamwork will matter now more than ever. We must be one body, one mind, one heart.

Together, I know we can work to achieve even greater things. First and foremost, vigorously prosecute all sexual predators, at every level. Last year, a little Orange County girl was snatched just steps from her home and was brutally sexually assaulted and murdered. Two days later, her lifeless body was found discarded on a deserted road. She captured our nation's heart and even the world. Samantha became "America's little girl." This heart-wrenching crime affected our County more than any other crime in our memory. Our office received the weighty responsibility of ensuring justice for Samantha and bringing Alejandro Avila to justice. This single case goes to the core of every parent's nightmare, and thus will receive the highest priority in our office. The trial against Mr. Avila is scheduled just shy of a year from now. We will use the best resources in the office to ensure that justice is done.

Furthermore, this case highlights the importance of fighting sexual predators in every case on all levels. That includes vigilant prosecution of misdemeanor child annoyance, possession of child pornography, and sexual battery.

I am proud to announce that I carry in my hand a draft of newly-proposed legislation that will make possession of child pornography in California a straight felony. When that is done, I vow to take our crusade around our nation so we can catch our predators early before they start acting out their sick fantasies on our children.

Second, on our agenda will be to combat gang crimes on all levels and to make Orange County a miserable place for gangs to hurt people and take their properties. Because of the budget crunch, the number of police officers patrolling our streets has gone down some. At the same time, some veteran gang members have been completing their prison terms and getting released. We are seeing an increase in the incidents of gang-related crimes, so we must redouble our efforts here. What I have to say to you is this: If the crime you are prosecuting is related to gang activity – GIVE NO QUARTER.

Third, we will continue in our efforts to keep drinking water clean for the people of Orange County. We will vigorously litigate the pending lawsuits with Thirfty and Shell Oil companies. We will continue our efforts to act as the protectors of the most beautiful county in the nation, from the shores of Seal Beach to the Saddleback Mountains and to the clear surf of San Clemente.

Finally, I am thrilled to tell you about new technology which will promote our efficiency and change the way we share information and witness management with all law enforcement offices within the County. Our improved “Case Management System” will have its first phase implemented this year. This innovative technology will be a model for other counties around the state and the nation. San Diego County has already asked for our help in setting up their system. What it means for deputy district attorneys is that they will have one place to go to online to view an organized page of information on a case. The system will also allow deputy district attorneys to have instant access to a police officer’s availability so they can determine instantly when a good date for continuance would be. The deputies will be able to access police reports, review filings online, and file cases with the courts electronically. All will be able to access relevant information from the Probation Department – instantly.

It has been said, “A nation is formed by the willingness of each of us to share in the responsibility for upholding the common good.”

Every day -- whether you are conducting a death penalty trial or you are negotiating a driving on a suspended license case, we need to keep this mission in the forefront of our hearts and minds and remember that we begin with serving the People and we end with representing the People.

You have all made me proud to be your leader in the last four years, and with your help, I look forward to serving and representing the People of Orange County for the next four.

I would like to close with some words of wisdom from President Abraham Lincoln. President Lincoln said almost 150 years ago, "Let us have faith that right makes might, and in that faith, let us, to the end, dare to do our duty as we understand it."

Join me in doing our duty to do what is right -- to vigorously represent the People of Orange County in the pursuit of justice. And as Jaime would say, let's go do justice for the People. Thank you all for coming.

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